

REMARKS

Claims 1-6, 8, 10, 12-22, 25, 27-29, 31, 33-41, 44 and 45 were pending and presented for examination in this application. In an Office Action dated March 12, 2009, claim 25 was objected to and claims 1-6, 8, 10, 12-22, 25, 27-29, 31, 33-41, 44 and 45 were rejected. In view of the above amendments and following remarks, Applicants respectfully request that Examiner reconsider all outstanding rejections and withdraw them.

Objections to Claim

Claim 25 was objected to for including a spelling error. Claim 25 has been amended to correct the spelling error. Accordingly, Applicants respectfully request withdrawal of the objection.

Response to Rejections under 35 U.S.C. § 103(a)

In the 7th paragraph of the Office Action, claims 1-6, 8, 10, 12-22, 25, 27, 31, 33-41, and 44-45 have been rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Klemmer (“Books with Voices: Paper Transcripts as a Tangible Interface to Oral Histories” CHI 2003, Fort Lauderdale, FL, Apr. 5-10, 2003, pp. 89-96) in view of Graham (U.S. Patent No. 6,369,811). This rejection now is traversed.

Independent claim 1 recites, *inter alia*, a feature extraction module for “**extracting, using a feature extraction technique, features from the time-based media, the feature extraction technique specified by a document format specification file.**” Thus, not only does the feature extraction module extract features from time-based media, but it does so using a feature extraction technique that is specified by a file. The file is a “document format specification file”

that also specifies layout parameters for formatting a media representation of the time-based media that represents the extracted media characteristic features. Applicants note that the term “feature extraction” is being used according to its “plain meaning” (MPEP 2111.01), *i.e.*, extracting attributes from data, as known in the pattern recognition art. *See, e.g.*, Specification at [0072] for a non-exhaustive list of feature extraction types.

These aspects of the claimed invention are not disclosed or suggested by Klemmer or Graham, alone or in the suggested combination. Specifically, Klemmer describes barcode-augmented paper transcripts of oral interviews along with related research and experiments. *See* Klemmer, Abstract. However, Klemmer does not disclose “extracting … features from … time-based media using a feature extraction technique specified by a document format specification file.” In rejecting this feature, the Examiner has pointed to page 92 of Klemmer which mentions “making JPEG thumbnails from a video source,” the video source being an MPEG-2 video. *See* Office Action, page 5. However, a JPEG thumbnail is not a “feature” that can be “extracted” from an MPEG-2 video. To the contrary, as a JPEG thumbnail is simply a single digital image whereas an MPEG-2 video is merely a time-sequenced plurality of digital images, a JPEG thumbnail at most represents a *portion* of an MPEG-2 video, requiring no feature extraction. Moreover, even assuming *arguendo* that making JPEG thumbnails from an MPEG-2 video could be interpreted as extracting a feature from time-based media, Klemmer doesn’t suggest any manner of specifying a feature extraction technique for doing so. *See* Klemmer, page 92. Klemmer would therefore still not suggest using a “document format specification file” to specify a feature extraction technique as claimed. Accordingly, Klemmer does not disclose or suggest “extracting, using a feature extraction technique, features from the time-based media, the feature extraction technique specified by a document format specification file” as claimed.

In addition, Applicants respectfully disagree with the Examiner's allegation that the phrase "creating a paper layout...from a time-stamped transcript" in Klemmer relates to the claimed document format specification file. *See Office Action*, pages 5-6 *citing* Klemmer, p. 92. The time-stamped transcript of Klemmer is merely a written transcript of a recorded interview in which the words spoken by participants have been written in textual format by a professional transcriber, and the time-stamps are merely notations made by the transcriber to indicate a time for each transcribed utterance. *See* Klemmer, pp. 89-90, "Fieldwork," "Conducting Oral Histories." As such, Klemmer's "time-stamped transcript" and Klemmer's "paper layout" are related *only insofar as* they are concerned with the same interview. Klemmer's transcript does not specify a "feature extraction technique."

Graham does not remedy the above-described deficiencies of Klemmer, nor does the Examiner allege that it does. Graham discloses an annotation assistant application that allows a user to specify one or more concepts of interest, and analyze a text document to identify associated sections of the document. *See* Graham, FIG. 4B and col. 2, ll. 29-51. However, Graham's application merely analyzes **static** text documents which are not "time-based media." Furthermore, Graham is **pre-configured** to use only a single document analysis technique. *See* Graham, FIGS. 6B, 7 and col. 7, ll. 12-33. Hence, Applicants respectfully submit that Graham also fails to disclose or suggest at least the claimed feature "extracting, using a feature extraction technique, features from the time-based media, the feature extraction technique specified by a document format specification file."

As shown above, a combination of Klemmer and Graham would fail to disclose or suggest at least the claimed feature of "extracting, using a feature extraction technique, features

from the time-based media, the feature extraction technique specified by a document format specification file”; thus, a *prima facie* case of obviousness has not been made.

At best, a combination of Klemmer and Graham would yield an application that annotates a manually transcribed interview transcript based on one or more concepts of interest. Thus, the Examiner’s proposed combination appears to be based on improper hindsight reasoning, with guidance gleaned solely from Applicants’ own disclosure. *See MPEP 2145* (Examiner’s rationale may “not include knowledge gleaned only from applicant’s disclosure”).

Also, for at least the reasons discussed above, the modifications of Klemmer and Graham required for the suggested combination would require fundamentally changing the purpose and intended application of the references. Such modifications would therefore take the cited aspects of Klemmer and Graham well beyond their “established functions,” precluding the “predictability” of such combining under *KSR*. Thus, the claimed invention is “more than a predictable use of [these] prior art elements according to their established functions.” *See KSR*, 127 S.Ct. 1727, 1739 (2007).

For at least the reasons above, claim 1 is patentable over Klemmer and Graham, in any combination.

Claim 25 is also patentable over the cited references for at least the above-stated reasons.

Dependent claims 2-6, 8, 10, 12-22, 27-29, 31, 33-42, and 44-45 respectively depend from claims 1 and 25, shown above to be patentably distinguishable over the cited art. In addition, these dependent claims recite additional patentably distinguishable features.

In the 8th paragraph of the Office Action, claims 28-29 have been rejected under U.S.C. § 103(a) as allegedly being unpatentable over Klemmer in view of Graham and in further view of Ponceleon (U.S. Patent Application No. 2003/0187642). This rejection now is traversed.

Claims 28-29 were shown above to be patentably distinct over Klemmer and Graham.

Ponceleon does not remedy the above-stated deficiencies of Klemmer and Graham, nor does the Examiner assert that it does. Rather, Ponceleon is cited merely to show a **single** method for speech recognition and event detection. Even assuming *arguendo* that Ponceleon shows that which the Examiner cites it for, Applicants can find no disclosure or suggestion in Ponceleon of “extracting media characteristic features from...time-based media using a feature extraction technique specified by a document format specification file” as claimed. Thus, Applicants submit that claims 28-29 are patentable over Klemmer, Graham, and Ponceleon, alone or in any combination, by reason of their dependency and the further limitations recited therein.

CONCLUSION

In sum, Applicants respectfully submit that claims 1-6, 8, 10, 12-22, 25, 27-29, 31, 33-41, 44, and 45, as presented herein, are patentably distinguishable over the cited references. Therefore, Applicants request reconsideration of the basis for the rejections to these claims and request allowance of them.

In addition, Applicants respectfully invite the Examiner to contact Applicants' representative at the number provided below if the Examiner believes it will help expedite furtherance of this application.

Respectfully submitted,
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